

A

REVIEW

OF THE

STATE

OF THE

ENGLISH NATION.

Tuesday, January 28. 1706.

TH^{O'} the Union on the Part of *Scotland* seems now concluded, and I hope, the Difficulties on this side will be far less *than there*; yet since the Doctrine of Petitioning has begun in this Paper, I must crave leave to follow the Subject in a Paper or two, and then I shall speak the closer to what comes after.

The Manner and Method of a Petition ought to correspond with the Title, be humble, the Expression modest, the Diction decent, and void of every thing disrespectful, unmannerly, and much more untrue, I mean the Language of it.

As to the Manner of Delivery, this ought to be more cautiously mannag'd, and to sure, *First*, the Customs of the Place in the Case of Petitions; *Secondly*, the Persons petitioning, and *Thirdly* the Persons who are petitioned or addressed to.

The Decency due to Government, and especially to the Authority of Parliament, requires all possible Respect, as it is the supreme Authority of the Nation, the Body clothed with the Sanction of *Legislature* on one Hand, and *Sovereign Judicature* on the other. An humble Petition, and humbly presented, is without doubt the just Debt of applying to this Power—All Manner of tumultuous Assemblings, all Manner of threatening Appearances or Speeches, are in this Case *scandalous, insolent and seditious*; to lead, direct, command, much less threaten or speak roughly to them, is an Insolence destructive of the very Nature of Government, and the Distance of Subjects—What, tho' they are the Servants of State, and accountable for Justice, Truth and Liberty; yet are they not subjected to the Insults of the

the Subject in Execution of their great Trust—The Authority, they exercise, is sacred, and ought not to be treated with Disrespect or Contempt.

The Method of petitioning therefore in England, is thus far confin'd by Law, to prevent all Manner of tumultuous Assemblies, that, *not more than five Persons can appear at the presenting any Petition*, be the Subject of it of never so publick a Nature. And this has effectually prevented the great Mischiefs of riotous Petitioning, which in its Turn has prov'd pernicious both to Government and People, and must have ill Consequences in any Country, where such Exorbitances are unrestrain'd.

We come now in the *third Place*, to speak of the Duty of the Petitioned.

And here I lay some Heads down for others to enlarge upon.

1. All our Civil Rights are not subjected, no not to Parliament, as in particular 'tis not in their Power to take away the Right of being represented, tho' without doubt it is in their Power to *enlarge or contract*, settle and limit the Number of the Representatives, and the Space of the Countries they shall represent. And whereas some infer from hence, that then they might resolve the Representation into a *single Person*, and they think, they have a mighty Victory in this—I answer—Every Part of the Kingdom, which has been a separate Government, must be separately represented; because its Right of being represented began in its *separate State*, and cannot be taken away—But yet every Kingdom, that by themselves or their Representatives consent even to suspend their being represented at all, may doubtless do it for a Time, *tho' it cannot be for their Posterity*; because the Right of being represented descends with the Land, and the Freeholder himself cannot give it away; Charters, Burghs or Corporations may be forfeited and disfranchis'd, but the Freehold Land shall ever entitle the Possessor to a Right of being represented.

According to Mr. H—s, *The Representative has all the Right and Power of the Freeholder*—And if so, then he has this Authority much more, and may give away all, but I dare not run that Length.

2. A Representative cannot bind Conscience, or oblige in Contradiction to the Laws of GOD—All their Votes, all their Authority ceases, when once they contraven the express Laws of GOD, and in that Case their Power is *ipso facto* dissolv'd, and they cease to be a Legislature, in so far only as they act against, or in Opposition to the Divine Law, the Apostle's Question in that Case strongly implying the Negation—Whether it is lawful to obey GOD rather than Man, Judge ye?

Nor can they make Laws against Reason and Nature, but in every thing else they have a full Legislative and Judicature committed to them, and it cannot be rational to subject them to the tumultuous Authority of their Constituents.

I know, it is affirm'd, that the Barons of Scotland have a Right, if they please, to decline a Representative, and come up and sit in Person, as the Peers do.

Whether they have such a Right or no, is not my Business to debate here; but I'll offer one Negative to such an absurd Notion, that I believe, will serve to the present Case, (*Viz.*) That they cannot have such a Right now for this current Parliament, they having by their Election already concluded themselves for *this Time*; if ever they have such a Right, which nevertheless I do not grant, it must be, when a new Parliament is to be chosen—But the Case for this present Parliament is determin'd, and cannot be alter'd.

But how far then is a Parliament oblig'd by the Addresses of the Heretors or Constituents, and what is their Duty in such Cases? for this is the grand Question before us.

I answer, Addressees, if decently worded, dutifully, with Respect to Authority, presented, and significant in their Nature, ought to be receiv'd; and in this Part I must own, the Parliament of Scotland have been over and above regardful of their Duty, for that they have receiv'd such Addresses, containing such insulting of their Authority, such arraigning their Proceedings, such leading their Voices, such limiting their Legal Power, such indecent and disrespectful treating their Persons, that no Subjects in these Ages have ever, that I remember, done

done with Simplicity, in any Nation but Scotland; and therefore I think with Submission, no Objection will lye against them on that Score.

2. Nor is it the Duty of the Representatives to receive only the Addresses of the Subjects; but indeed they seem to me to owe a Reading, and if the Substance require it, to consider and debate the Matters laid before them in it. If any Man shall ask so weak a Question, as who shall be Judge, whether the Substance requires their Debates or no? *The Nature of debating answers*

that, for they can debate upon nothing else, but the Merits of the Petition, and if they find it frivolous or vexatious, without Question they may either lay it asleep in the House, by the still Voice of general Neglect, or cast it back with Resentment. If this be not in their Choice, then it is, no more an Address or Petition, but a Precept or Mandamus; the People signing it are no more Addressors, Petitioners or Desirers, but Directors or Preceptors, and the whole Scale of Order inverts to Democracy and Confusion.

MISCELLANEA.

Nothing but Union! Union says, one now, that wants Diversion; I am quite tired of it, and we hope, 'tis as good as ever now; prithee, good Mr. Review, let's have now and then a Touch of something else to make us merry.

Indeed, this is the Fate of all the poor Authors that ever did or shall write; the World will never relish a long Story, be there never so much Variety in it.

But pray, Gentlemen, what can you expect out of Scotland? Poor, barren Scotland! where you fancy there is nothing to be had; but wild Men, and ragged Mountains, Storms, Snows, Poverty and Barrenness. Very well, Gentlemen, and what if you should be mistaken now, and I should tell you, that Scotland is quite another Country than you imagine, and not so ill worth uniting with as you think; that it is a noble Country, fruitful in Soil, healthy Air, seated for Trade, full of Manufactures by Land, and a Treasure great as the Indies at their Door by Sea—That the Poverty of Scotland, and the Fruitfulness of England, or rather the Difference between them, is owing not to meer Difference of the Climate, Heat of the Sun or Nature of the Soil, but to the Errors of Time and the Misery of their Constitution.

And here, Gentlemen, I must tell our Friends in England, who are so backward to setting their Country free, and so willing to

enslave us again; the different Face of these two Kingdoms, to whoever will please to survey them, as I have done, is the best Lecture of Politicks, any Man living can read; the whole Book of Nature cannot show him a better.

All the Land in England is not fruitful, nor all the Land in Scotland barren, Climate cannot be the Cause; for the Lands in the North of Scotland are in general better than the Lands in Cornwall, which are near 600 Mile South of them; but Liberty and Trade have made these rich, Tyranny has discourag'd the Commerce, and both kept those poor.

To go a little farther, I am of Opinion, with some few Exceptions to Circumstances of foreign Trade, had the Liberty, Justice and Constitution of England been first planted and preserv'd in the North of Britain; the Tyranny, Cruelty and Bondage of Scotland; under which she has so long groaned, been the Fate of the South; all that is fruitful, pleasant, rich and strong had been there; and all that is poor, barren, miserable and neglected had been here.

Liberty makes Nations thrive, People great, a Country pleasant, ay, and Nature fruitful; for Liberty encourages Industry, Sloth and Slavery go hand in hand, and encourage one another.

Any Land will be barren, if it is not cultivated and improv'd; and almost any Country will be fruitful, if dilligently apply'd to.

*'Tis Blasphemy to say a Climate's curse,
Nature will ne're be fruitful till she's forc'd;
'Twas made her Duty from her first Decay,
The sweating Brow alone and labouring
Hand t' obey,
And these she neither does nor dares deny.*

ADVERTISEMENTS.

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